

REMARKS

I. Summary of the Office Action

Claims 1-162 are pending in this case.

Claims 121-162 are withdrawn from consideration.

Claims 1-2, 6-7, 17-18, 22-23, 27-28 and 38-39 were rejected under 35 U.S.C. § 102(b) as being anticipated by Rothmuller U.S. Patent No. 5,635,989 ("Rothmuller").

Claims 3-4, 8-10, 24-25 and 29-31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rothmuller.

Claims 5 and 26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rothmuller in view of Levitan U.S. Patent No. 5,534,911 ("Levitan") and further in view of Lawler et al. U.S. Patent No. 5,907,323 ("Lawler").

Claims 11-16, 20-21, 32-37, 41-46, 48-60, 62-66, 68-80, 82-86, 88-100, 102-105 and 107-119 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rothmuller in view of Klosterman et al. U.S. Patent No. 6,469,753 ("Klosterman").

Claims 19, 40, 61, 81, 101 and 120 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rothmuller in view of Amano et al. U.S. Patent No. 5,585,865 ("Amano").

Claims 47, 67, 87 and 106 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rothmuller in view of

Klosterman and further in view of Levitan and further in view of Lawler.

II. Summary of Applicants' Reply

Applicants have amended independent claims 1, 22, 43, 63, 83 and 102 to more particularly describe the claimed invention. Applicants' claim amendments are fully supported by the originally filed specification and introduce no new matter. For example, support for the amendments to the independent claims may be found at page 1, lines 8-12 and page 23, lines 7-20.* Applicants respectfully traverse the claim rejections.

III. Summary of Telephonic Interview

Applicants wish to thank the Examiner for the courtesies extended during the February 13, 2006 telephonic interview with the undersigned and Mr. Paul Leblond. Details of the interview will appear below where appropriate. Applicants' representative and the Examiner discussed amendments similar to those shown in this paper and the Examiner indicated that such amendments overcome the prior art of record.

* The recitation of support for the amendments to the independent claims is not meant to be exclusive. Support for the amendments may be found elsewhere in the specification.

IV. Amendment to the claims

Applicants have amended independent claims 1, 22, 43, 63, 83 and 102 to specify, amount other things, "receiving a user command to turn on the user equipment" and "when the user equipment is turned on, automatically tuning the user equipment to [a] given television channel such that the given television channel is the initial channel tuned to when the user equipment is turned on."

V. Claims 1-42

A. The § 102 Rejection

Claims 1-2, 6-7, 17-18, 22-23, 27-28 and 38-39 were rejected under 35 U.S.C. § 102(b) as being anticipated by Rothmuller. Applicants respectfully traverse this rejection.

Rothmuller refers to a method for generating a favorite program list including program titles (col. 2, ll. 13-22). The favorite program list is generated by determining whether a viewer views a particular program for a predetermined period of time, and if so, the particular program is added to the favorite program list (col. 5, l. 64-col. 6, l. 4). Once the favorite program list is compiled, the system compares the programs from the favorite program list with program guide data for upcoming programs and identifies those upcoming programs that are in the favorite program list (col. 7, ll. 50-58). When the viewer turns on the

television apparatus, a microprocessor determines whether one of the favorite programs is being broadcast and displays an on-screen message, which includes the program name and channel number, to the viewer (col. 7, ll. 59-65, emphasis added). The microprocessor may also, "upon receiving an on-screen display indicating that a favorite program will be broadcast in the near future, [generate] an auto-tune prompt which is also displayed on the display screen. If auto-tuning is desirable, the viewer depresses an auto-tune key on the IR remote" (col. 8, ll. 3-11, emphasis added).

Rothmuller fails to show or suggest "automatically tuning the user equipment to the given television channel such that the given television channel is the initial channel tuned to when the user equipment is turned on," as required by claims 1 and 22. In contrast, Rothmuller displays an auto-tune prompt for the user to select to tune to a favorite program (e.g., like a reminder feature), rather than initially tuning to a given channel when the user equipment is turned on.

For at least the foregoing reasons, independent claims 1 and 22 are allowable over Rothmuller. Claims 2, 6-7, 17-18, 23, 27-28 and 38-39, which depend from independent claims 1 and 22, are also allowable over Rothmuller for at least the reasons that independent claims 1 and 22 are allowable over Rothmuller.

Accordingly, applicants respectfully request the rejection of claims 1-2, 6-7, 17-18, 22-23, 27-28 and 38-39 under 35 U.S.C. § 102(b) be withdrawn.

B. The § 103 Rejections

Claims 3-4, 8-10, 24-25 and 29-31 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rothmuller.

Claims 5 and 26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rothmuller in view of Levitan and further in view of Lawler.

Claims 11-16, 20-21, 32-37 and 41-42 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rothmuller in view of Klosterman.

Claims 19 and 40 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rothmuller in view of Amano.

Applicants respectfully traverse these rejections.

Applicants' dependent claims 3-5, 8-16, 19-21, 24-26, 29-37 and 40-42 depend from allowable independent claims 1 and 22, and are patentable for at least the reasons that independent claims 1 and 22 are allowable over Rothmuller. Accordingly, applicants respectfully request the rejection of claims 3-5, 8-16, 19-21, 24-26, 29-37 and 40-42 under 35 U.S.C. § 103(a) be withdrawn.

VI. Claims 43-120

Claims 43-46, 48-60, 62-66, 68-80, 82-86, 88-100, 102-105 and 107-119 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rothmuller in view of Klosterman.

Claims 61, 81, 101 and 120 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rothmuller in view of Amano.

Claims 47, 67, 87 and 106 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Rothmuller in view of Klosterman and further in view of Levitan and further in view of Lawler.

Applicants respectfully traverse these rejections.

Applicants respectfully submit that the combination of Rothmuller and Klosterman fails to show or suggest "receiving a user command to turn on the user equipment" and "when the user equipment is turned on, automatically tuning the user equipment to [a] given television channel such that the given television channel is the initial channel tuned to when the user equipment is turned on," as specified in independent claims 43, 63, 83 and 102.

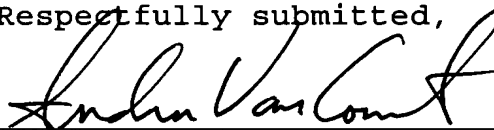
For at least the foregoing reason, independent claims 43, 63, 83 and 102 are allowable over Rothmuller and Klosterman, taken alone or in combination. Claims 44-62, 64-82, 84-101 and 103-120 which depend from independent claims 43, 63, 83 and 102 are also allowable for at least the reasons that

independent claims 43, 63, 83 and 102 are allowable over Rothmuller and Klosterman. Accordingly, applicants respectfully request the rejection of claims 44-62, 64-82, 84-101 and 103-120 under 35 U.S.C. § 103(a) be withdrawn.

VII. Conclusion

The foregoing demonstrates that claims 1-120 are allowable. Applicants respectfully submit that this patent application is in condition for allowance. Reconsideration and allowance are respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Andrew Van Court", is written over a horizontal line.

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